

APPLICATION NO.

09/497,474

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FILING DATE FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO 7536 02/04/2000 105356 Kazuyuki Kazami EXAMINER 01/16/2004 OLIFF & BERRIDGE, PLC HENN, TIMOTHY J PAPER NUMBER ART UNIT ALEXANDRIA, VA 22320

> 2612 DATE MAILED: 01/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

		Applica	tion No.	Applicant(s)	
Office Action Summary		09/497		KAZAMI, KAZUYUKI	
		Examin		Art Unit	
		Timothy		2612	
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply					
THE - Exte after - If the - If NO - Failu	ORTENED STATUTORY PERIOD FOR MAILING DATE OF THIS COMMUNICA nsions of time may be available under the provisions of 3i SIX (6) MONTHS from the mailing date of this communic period for reply specified above is less than thirty (30) de period for reply is specified above, the maximum statuto are to reply within the set or extended period for reply will, reply received by the Office later than three months after the patent term adjustment. See 37 CFR 1.704(b).	TION. 7 CFR 1.136(a). In no ation. 1ys, a reply within the s ry period will apply and by statute, cause the a	event, however, may a reply be time tatutory minimum of thirty (30) days will expire SIX (6) MONTHS from pplication to become ABANDONE	nely filed s will be considered timely. the mailing date of this communication. D (35 U.S.C. § 133).	
1)⊠	Responsive to communication(s) filed of	n <u>04 February 2</u>	<u>:000</u> .		
2a)□	This action is FINAL . 2b) ☐ This action is non-final.				
3)	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.				
Disposition of Claims					
4)⊠	Claim(s) <u>1-7</u> is/are pending in the application.				
	4a) Of the above claim(s) is/are withdrawn from consideration.				
5)□	Claim(s) is/are allowed.				
6)□	Claim(s) is/are rejected.				
7)	- ''				
8) Claim(s) 1-7 are subject to restriction and/or election requirement.					
Application Papers					
9)☐ The specification is objected to by the Examiner.					
10)	10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.				
	Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).				
4.0	Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).				
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.					
Priority under 35 U.S.C. §§ 119 and 120					
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No. 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78. a) The translation of the foreign language provisional application has been received. 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.					
Attachment(s) 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s)					
2) Notic	ce of References Cited (PTO-692) ce of Draftsperson's Patent Drawing Review (PTO- mation Disclosure Statement(s) (PTO-1449) Pape			Patent Application (PTO-152)	



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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - Claims 1-2 and 6-7, drawn to an electronic camera with two separate storage devices, classified in class 348, subclass 231.99.
 - II. Claims 3-6, drawn to an electronic camera with a single-shot and continuous photographing modes, classified in class 348, subclass 220.1.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as an electronic camera with dual photographing modes. See MPEP § 806.05(d).
- 3. Because these inventions are distinct for the reasons given above and the search required for Group II is not required for Group I, restriction for examination purposes as indicated is proper.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy J Henn whose telephone number is (703) 305-

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8327. The examiner can normally be reached on M-F 7:30 AM - 5:00 PM, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wendy R Garber can be reached on (703) 305-4929. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

TJH 1/12/2003

WENDY R. GARBER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600